

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-FIRST LEGISLATURE

SEVENTY-FIRST LEGISLATIVE DAY
MONDAY, MARCH 19, 2012

House of Representatives

The House convened at 9:30 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Aubrianne Christensen, Page.

Approval of Journal

March 19, 2012

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Sixty-eighth Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Burgoyne. Report adopted.

Consideration of Messages from the Governor and the Senate

March 16, 2012

Mr. Speaker:

I transmit herewith [S 1388](#), [S 1389](#), [S 1391](#), and [S 1392](#) which have passed the Senate.

NOVAK, Secretary

[S 1388](#), [S 1389](#), [S 1391](#), and [S 1392](#) were filed for first reading.

March 16, 2012

Mr. Speaker:

I return herewith [H 622](#), [H 579](#), [H 541](#), and [H 420](#) which have passed the Senate.

NOVAK, Secretary

[H 622](#), [H 579](#), [H 541](#), and [H 420](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

March 19, 2012

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 674](#), [H 675](#), [H 676](#), [H 677](#), [H 678](#), [H 679](#), [H 680](#), and [H 681](#).

WILLS, Chairman

[H 674](#), [H 675](#), [H 676](#), [H 677](#), [H 678](#), [H 679](#), [H 680](#), and [H 681](#) were filed for second reading.

March 19, 2012

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled [H 595](#), [H 512](#), as amended, [H 481](#), [H 556](#), [H 513](#), [H 615](#), [H 616](#), [H 617](#), [H 618](#), [H 516](#), [H 396](#), [H 397](#), [H 399](#), [H 400](#), [H 401](#), [H 621](#), and [H 598](#).

WILLS, Chairman

The Speaker announced he was about to sign enrolled [H 595](#), [H 512](#), as amended, [H 481](#), [H 556](#), [H 513](#), [H 615](#), [H 616](#), [H 617](#), [H 618](#), [H 516](#), [H 396](#), [H 397](#), [H 399](#), [H 400](#), [H 401](#), [H 621](#), and [H 598](#) and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 19, 2012

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed [H 497](#), as amended in the Senate, [H 457](#), as amended in the Senate, and [H 511](#), as amended, as amended in the Senate.

WILLS, Chairman

[H 497](#), as amended in the Senate, [H 457](#), as amended in the Senate, and [H 511](#), as amended, as amended in the Senate, were filed for first reading of engrossed bills.

March 19, 2012

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [H 540](#), as amended, [H 459](#), [H 461](#), [H 525](#), [H 543](#), and [H 403](#) to the Governor at 9:45 a.m., as of this date, March 16, 2012.

WILLS, Chairman

March 16, 2012

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [S 1279](#) and [S 1370](#) and recommend that they do pass.

MCGEACHIN, Chairman

[S 1279](#) and [S 1370](#) were filed for second reading.

March 16, 2012

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [HJR 1](#) and report it back with amendments attached to be placed on General Orders for consideration.

LOERTSCHER, Chairman

[HJR 1](#) was placed on General Orders for consideration.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE JOINT MEMORIAL NO. 14 BY STATE AFFAIRS COMMITTEE A JOINT MEMORIAL

TO THE PRESIDENT AND SECRETARY OF STATE OF THE UNITED STATES, THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES, THE PRIME

MINISTER OF SPAIN, THE PRESIDENT OF FRANCE, THE PRESIDENT OF THE GOVERNMENT OF THE BASQUE AUTONOMOUS COMMUNITY AND THE PRESIDENT OF THE FORAL GOVERNMENT OF NAVARRE.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Sixty-first Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the State of Idaho is a North American center of the Basque population, and many of those citizens of this state have kept close ties to the homeland of their forefathers; and

WHEREAS, from the time of the government of the last dictatorship in Spain until the present, the Basque Country has experienced decades of terror and violence; and

WHEREAS, in 1972, the Second Regular Session of the Forty-first Idaho Legislature adopted Senate Joint Memorial No. 115 that condemned the government of the last dictatorship in Spain and urged peace and democracy in the Basque Country; and

WHEREAS, in 2002, the Second Regular Session of the Fifty-sixth Idaho Legislature unanimously adopted Senate Joint Memorial No. 114 that condemned all terrorist organizations operating in the world and specifically the terrorist organization Euskadi 'ta Askatasuna (ETA) in Spain and expressed strong support for an immediate end to all violence in the Basque Country and for the establishment of peace and freedom through all democratic and lawful means as well as the recognition of the right to self-determination; and

WHEREAS, in 2006, the Second Regular Session of the Fifty-eighth Idaho Legislature adopted House Joint Memorial No. 26 that condemned all acts of terrorism and violence by all organizations and individuals within the Basque Country and throughout the world.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-first Idaho Legislature, the House of Representatives and the Senate concurring therein, that the State of Idaho recognizes and commends ETA's statements of a definitive cessation of its armed activity and end to terrorism, and further commends the governments of Spain, France, the Basque Autonomous Community and Navarre for their actions to promote dialogue on the future of the Basque territories and achieving a lasting peace.

BE IT FURTHER RESOLVED that the State of Idaho extends its encouragement and support to their democratic governments in their ongoing efforts to establish a negotiation process to create a lasting peace, to recognize all victims of terrorism and to consider all democratic forms of referenda on the constitutional future of the Basque territories.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President and Secretary of State of the United States, the President of the Senate and the Speaker of the House of Representatives of Congress, the congressional delegation representing the State of Idaho in the Congress of the United States, the Prime Minister of Spain, the President of France, the President of the Basque Autonomous Community and the President of the Foral Government of Navarre.

HJM 14 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

HOUSE BILL NO. 682

BY APPROPRIATIONS COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISIONS OF MEDICAL ASSISTANCE SERVICES AND LICENSING AND CERTIFICATION FOR FISCAL YEAR 2013; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR GENERAL FUND TRANSFERS TO THE COOPERATIVE WELFARE FUND; DIRECTING EXPENDITURES FOR TRUSTEE AND BENEFIT PAYMENTS; PROVIDING LEGISLATIVE INTENT FOR PROGRAM INTEGRITY; PROVIDING FOR REAPPROPRIATION OF GENERAL FUNDS; DIRECTING ADDITIONAL NURSING FACILITY ADJUSTMENT PAYMENTS; REQUIRING MONTHLY FORECAST REPORTING FOR THE MEDICAL ASSISTANCE SERVICES AND THE INDIRECT SUPPORT SERVICES DIVISIONS; PROVIDING FOR TRANSFERS IN ADDITION TO TEN PERCENT FOR MEDICAL ASSISTANCE SERVICES FOR THE COORDINATED, ENHANCED, AND BASIC MEDICAID PLANS; PROVIDING LEGISLATIVE INTENT FOR MEDICAL ASSISTANCE SERVICES FOR REPORTING THE IMPLEMENTATION OF HOUSE BILL NO. 260, AS ENACTED BY THE FIRST REGULAR SESSION OF THE SIXTY-FIRST IDAHO LEGISLATURE; PROVIDING LEGISLATIVE INTENT FOR IMPLEMENTING MEDICAID MANAGED CARE; PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION AND BENEFITS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 683

BY APPROPRIATIONS COMMITTEE

AN ACT

RELATING TO APPROPRIATIONS TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO FOR HEALTH EDUCATION PROGRAMS; AMENDING SECTION 1, CHAPTER 249, LAWS OF 2011, TO MOVE MONEYS FROM OPERATING EXPENDITURES TO PERSONNEL COSTS; APPROPRIATING MONEYS FOR FISCAL YEAR 2013; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION AND BENEFITS; AND PROVIDING NON-GENERAL FUND REAPPROPRIATION FOR FISCAL YEAR 2013.

HOUSE BILL NO. 684

BY APPROPRIATIONS COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO FOR SPECIAL PROGRAMS FOR FISCAL YEAR 2013; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION AND BENEFITS; AND PROVIDING GENERAL FUND REAPPROPRIATION FOR THE SCHOLARSHIPS AND GRANTS PROGRAM FOR FISCAL YEAR 2013.

HOUSE BILL NO. 685

BY APPROPRIATIONS COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE SUPREME COURT FOR FISCAL YEAR 2013; EXEMPTING APPROPRIATION FROM OBJECT AND PROGRAM

TRANSFER LIMITATIONS; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE GUARDIAN AD LITEM FUND FOR FISCAL YEAR 2013; AND PROVIDING GUIDANCE FOR NON-JUDICIAL EMPLOYEE COMPENSATION AND BENEFITS.

HOUSE BILL NO. 686
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE OFFICE OF DRUG POLICY FOR FISCAL YEAR 2013; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION AND BENEFITS.

HOUSE BILL NO. 687
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO THE UNCLAIMED PROPERTY PROGRAM; AMENDING SECTION 63-3077E, IDAHO CODE, TO AUTHORIZE THE RELEASE OF TAXPAYER ADDRESSES AND TAXPAYER IDENTIFYING NUMBERS FROM THE STATE TAX COMMISSION TO THE UNCLAIMED PROPERTY PROGRAM FOR INTERNAL USE; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 688
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO RESIDENCY AND VOTING; AMENDING SECTION 34-405, IDAHO CODE, TO REVISE PROVISIONS REGARDING GAIN OR LOSS OF RESIDENCE BY REASON OF ABSENCE FROM THE STATE; AMENDING SECTION 34-1002, IDAHO CODE, TO PROVIDE A WRITTEN WARNING ON THE APPLICATION FOR AN ABSENT ELECTOR'S BALLOT FORM, TO PROVIDE THAT CERTAIN OVERSEAS VOTERS SHALL BE ALLOWED TO VOTE FOR FEDERAL OFFICES ONLY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 34-1008, IDAHO CODE, TO REVISE PROCEDURES FOR COUNTING ABSENTEE BALLOTS; AND AMENDING CHAPTER 14, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-1414, IDAHO CODE, TO PROVIDE THAT ANY SECRETARY OF STATE RULES, POLICIES, PROCEDURES OR PRINTED DIRECTIVES THAT AMEND OR CONTRAVENE STATE STATUTES SHALL NOT BE PERMITTED; AND PROVIDING SEVERABILITY.

[H 682](#), [H 683](#), [H 684](#), [H 685](#), [H 686](#), [H 687](#), and [H 688](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1388](#), [S 1389](#), [S 1391](#), and [S 1392](#), by Finance Committee, were introduced, read the first time by title, and filed for second reading.

First Reading of Engrossed Bills

[H 497](#), as amended in the Senate, by Judiciary, Rules, and Administration Committee, was introduced, read the first time by title, and filed for second reading.

[H 457](#), as amended in the Senate, by Resources and Conservation Committee, was introduced, read the first time by title, and filed for second reading.

[H 511](#), as amended, as amended in the Senate, by Transportation and Defense Committee, was introduced, read the first time by title, and filed for second reading.

Second Reading of Bills and Joint Resolutions

[H 668](#) and [H 669](#), by Appropriations Committee, were read the second time by title and filed for third reading.

[H 663](#), by Education Committee, was read the second time by title and filed for third reading.

[S 1369](#), by Judiciary and Rules Committee, was read the second time by title and filed for third reading.

[S 1271](#), by Resources and Environment Committee, was read the second time by title and filed for third reading.

[SCR 125](#) and [SCR 133](#), by State Affairs Committee, were read the second time by title and filed for third reading.

[H 450](#), as amended in the Senate, by Judiciary, Rules, and Administration Committee, was read the second time by title and filed for third reading.

There being no objection, the House advanced to the Twelfth Order of Business.

Consideration of General Orders

Mr. Moyle moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Mr. Rusche. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Roberts in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

Report of the Committee of the Whole House

March 19, 2012

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration [H 606](#), [H 578](#), [H 486](#), as amended, [H 639](#), [H 628](#), and [S 1256](#) and report them back without recommendation, amended as follows:

HOUSE AMENDMENT TO H.B. NO. 606

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 21 and 22, and insert:

"(i) Is incorporated or organized in the state of Idaho for the primary purpose of processing and marketing agricul-";

in line 26, following "state;" insert: "and"; in line 28, delete "; and" and insert: "."; delete lines 29 and 30; and in line 36, following "makes" delete "a qualified" and insert: "an".

On page 2, in line 1, following "per" insert: "qualified".

AMENDMENT TO SECTION 2

On page 3, in line 14, following "2017" insert: "; provided that subsection (3)(c) of Section 63-3029L, Idaho Code, shall remain in effect beyond December 31, 2017".

HOUSE AMENDMENT TO H.B. NO. 578

AMENDMENT TO SECTION 3

On page 2 of the printed bill, delete lines 11 through 16, and insert:

"(1) "Gold and silver coin" means any coin or bullion having at least fifty percent (50%) gold or silver content, the market value of which derives primarily from the value of such content, and which is:

- (a) Issued at any time by the United States as legal tender; or
- (b) Determined by congress to be legal tender; or
- (c) Ruled by a final, unappealable judgment or order of a court of competent jurisdiction to be within the authority of the state of Idaho to make legal tender."

AMENDMENT TO SECTION 4

On page 2, delete lines 32 through 35, and insert:

"63-4603. DESIGNATION OF LEGAL TENDER.

(1) Gold and silver coin is legal tender in the state of Idaho under the laws thereof."

On page 3, following line 28, insert:

"(e) For a purchase made or obligation satisfied with gold or silver coin that gives rise to tax liability pursuant to title 63, Idaho Code, any tax due shall be paid in gold or silver coin unless the state tax commission directs that such tax shall be paid in other legal tender, in which case the amount of the tax due shall be equal to the market value of the gold and silver coin valued in such other legal tender as of the date of the purchase payment or obligation satisfaction as calculated using the then most current London fixing price. The provisions of this paragraph (e) shall take precedence over the provisions of paragraph (d) of this subsection (2) in the event of a conflict between the application of these two paragraphs to any particular transaction."

AMENDMENT TO SECTION 5

On page 3, in line 42, delete "any sales, excise, gross receipts, income,"; and delete lines 43 and 44, and insert: "gains tax."

AMENDMENT TO THE BILL

On page 4, following line 6, insert:

"SECTION 6. That Section 63-3022H, Idaho Code, be, and the same is hereby amended to read as follows:

63-3022H. DEDUCTION OF CAPITAL GAINS. (1)

If an individual taxpayer reports capital gain net income in determining taxable income, eighty percent (80%) in taxable year 2001 and sixty percent (60%) in taxable years thereafter of the capital gain net income from the sale or exchange of qualified property shall be a deduction in determining Idaho taxable income. Any capital gain on the exchange of gold and silver coin, as defined in section 63-4602, Idaho Code, for another form of United States legal tender shall not be included in taxable income.

(2) The deduction provided in this section is limited to the amount of the capital gain net income from all property included in taxable income. Gains treated as ordinary income by the Internal Revenue Code do not qualify for the deduction allowed in this section. The deduction otherwise allowable under this section shall be reduced by the amount of any federal capital gains deduction relating to such property, but not below zero.

(3) Property held by an estate, trust, S corporation, partnership, limited liability company or an individual is "qualified property" under this section if the property had an Idaho situs at the time of sale and is:

- (a) Real property held at least twelve (12) months;
- (b) Tangible personal property used in Idaho for at least twelve (12) months by a revenue-producing enterprise;
- (c) Cattle or horses held for breeding, draft, dairy or sporting purposes for at least twenty-four (24) months if more than one-half (1/2) of the taxpayer's gross income (as

defined in section 61(a) of the Internal Revenue Code) for the taxable year is from farming or ranching operations in Idaho;

(d) Breeding livestock other than cattle or horses held at least twelve (12) months if more than one-half (1/2) of the taxpayer's gross income (as defined in section 61(a) of the Internal Revenue Code) for the taxable year is from farming or ranching operations in Idaho;

(e) Timber grown in Idaho and held at least twenty-four (24) months;

(f) In determining the period for which property subject to this section has been held by a taxpayer, the provisions of section 1223 of the Internal Revenue Code shall apply, except that the holding period shall not include the holding period of property given up in an exchange, when such property would not have constituted qualified property under this section without regard to meeting the holding period nor shall the holding period include any time period in which the property subject to this section was held by a corporation other than an S corporation.

(4) As used in this section "revenue-producing enterprise" means:

(a) The production, assembly, fabrication, manufacture, or processing of any agricultural, mineral or manufactured product;

(b) The storage, warehousing, distribution, or sale at wholesale of any products of agriculture, mining or manufacturing;

(c) The feeding of livestock at a feedlot;

(d) The operation of laboratories or other facilities for scientific, agricultural, animal husbandry, or industrial research, development, or testing.

(5) As used in this section the term "real property" means land and other tangible property permanently upon or affixed to the land;"

and renumber the remaining section of the bill accordingly.

CORRECTION TO TITLE

On page 1, in line 9, following "TENDER" insert: "AND TO ESTABLISH PROVISIONS RELATING TO THE PAYMENT OF CERTAIN TAXES"; and in line 12, following "COSTS;" insert: "AMENDING SECTION 63-3022H, IDAHO CODE, TO PROVIDE THAT ANY CAPITAL GAIN ON THE EXCHANGE OF GOLD AND SILVER COIN FOR ANOTHER FORM OF UNITED STATES LEGAL TENDER SHALL NOT BE INCLUDED IN TAXABLE INCOME;"

HOUSE AMENDMENT TO H.B. NO. 486, As Amended

AMENDMENT TO SECTION 1

On page 1 of the engrossed bill, delete lines 10 through 30, and insert:

"18-1524. USING TANNING BEDS OR SIMILAR DEVICES OR MACHINES BY MINORS. (1) As used in this section:

(a) "Tanning device" means an ultraviolet tanning device.

(b) "Ultraviolet tanning device" means equipment that emits electromagnetic radiation with wavelengths in the air between two hundred (200) and four hundred (400) nanometers used for tanning of the skin including, but not limited to, a sunlamp, tanning booth or tanning bed.

(c) "Tanning device" and "ultraviolet tanning device" shall not include:

- (i) Devices for personal use in a private residence; or
- (ii) Devices used to apply chemicals to the skin to achieve a bronze color, commonly referred to as spray-on, mist-on or sunless tans.

(2) No person age fifteen (15) years or younger may use a tanning device or ultraviolet tanning device unless such use is authorized by prescription from a licensed medical provider to treat an underlying medical condition. Additionally, no person shall use a tanning device or ultraviolet tanning device on a person fifteen (15) years of age or younger unless medical consent via a prescription is provided.

(3) No person between sixteen (16) and eighteen (18) years of age may use a tanning device or ultraviolet tanning device unless such person's parent or legal guardian provides in-person consent or such person has authorization via prescription from a licensed medical provider to use a tanning device to treat an underlying medical condition. For purposes of this subsection, "consent" means that a parent or legal guardian of a person between sixteen (16) and eighteen (18) years of age appears in person at the time of such person's initial use of an ultraviolet tanning device and signs a written consent form in the presence of the owner or an employee of the tanning facility. The person's parent or legal guardian may withdraw consent at any time. Unless so withdrawn, consent shall be valid for twelve (12) months from the date the written consent form is signed and must be renewed annually in accordance with the provisions of this subsection. The written consent form required by this subsection shall state that the parent or legal guardian has read and understands the warnings given by the tanning facility, consents to the person's use of an ultraviolet tanning device and agrees that the person will use protective eyewear provided by the tanning facility. The written consent form described in this subsection shall be on paper with dimensions not less than eight and one-half (8.5) inches by eleven (11) inches and be clear, legible and include the following provisions:

(a) "DANGER – ULTRAVIOLET RADIATION FROM TANNING DEVICES IS KNOWN TO CAUSE CANCER IN HUMANS" in letters at least one-half (.5) of an inch high within five (5) inches of, and on the same page as, the parent or legal guardian's signature; and

(b) "Exposure to ultraviolet radiation may cause skin cancer, including potentially fatal melanoma, as well as serious eye and skin injury including, but not limited to, wrinkling, dryness, fragility and bruising of the skin."

(4) Any person under the age of eighteen (18) years authorized to use an ultraviolet tanning device pursuant to this section shall be limited to no more than three (3) uses of ultraviolet tanning devices per week and not more than one (1) use within a twenty-four (24) hour period, unless a parent or legal guardian of such person provides for stricter limits by setting such limits on the consent form required in subsection (3) of this section. The parent or legal guardian of a person under the age of eighteen (18) years may also limit the total number of uses of an ultraviolet tanning device for the next ensuing twelve (12) month period by setting such limits on the consent form.

(5) Proof of age shall be verified for any person under the age of eighteen (18) years by the owner or employee of a tanning facility. Proof of age shall be satisfied with government issued identification or a government issued document containing the date of birth of the individual including, but not limited to, a driver's license, passport or birth certificate.

(6) It shall be unlawful for a minor to provide false identification or make any false statement regarding his age in an attempt to use an ultraviolet tanning device.

(7) An owner or employee of a tanning facility shall not make verbal claims or advertise or distribute promotional materials that claim in any way that a tanning device is safe or free from risk.

(8) Any tanning facility with one (1) or more patrons under eighteen (18) years of age shall post a warning sign in a place

readily visible to persons entering the establishment. The sign shall have dimensions not less than eight and one-half (8.5) inches by eleven (11) inches. Lettering must be clear and legible with the following provisions:

(a) "DANGER" in orange or red letters at least two (2) inches in height, followed by "ULTRAVIOLET RADIATION FROM TANNING DEVICES IS KNOWN TO CAUSE CANCER IN HUMANS" in letters at least sixty-six hundredths (.66) of an inch in height; and

(b) "Exposure to ultraviolet radiation may cause skin cancer, including potentially fatal melanoma, as well as serious eye and skin injury including, but not limited to, wrinkling, dryness, fragility and bruising of the skin." in letters at least one-quarter (.25) of an inch in height.

The sign required pursuant to this subsection shall also be posted within three (3) feet of each tanning device and in a location that is readily visible to a person about to use the device. The liability of a tanning facility owner or a manufacturer of an ultraviolet tanning device shall not be affected by posting the signs described in this subsection.

(9) A person who violates this section is guilty of a misdemeanor and shall be fined not more than one hundred dollars (\$100). If there is a subsequent violation of this section within one (1) year of the initial violation, such person shall be fined three hundred dollars (\$300). For all other subsequent violations, such person shall be fined not less than three hundred dollars (\$300) and not more than one thousand dollars (\$1,000). Provided however:

(a) An employee shall not be in violation of this section if such employee, prior to allowing a minor to use an ultraviolet tanning device, requested, examined and reasonably relied upon identification from a minor falsely stating such minor's age as at least eighteen (18) years of age;

(b) No violation shall occur if valid parental consent is obtained and maintained on file as described in subsection (3) of this section; and

(c) An owner of a tanning facility shall not be in violation of this section if such owner can show that an employee believed to be in violation was trained to understand the provisions of this section. Proof of training may be satisfied by a form to be kept on file by the owner, signed by the employee stating that the employee understands the age restrictions in this section. If no such training is in place, the owner shall be fined in accordance with this subsection.

(10) Nothing in this section shall be construed to prohibit local units of government from passing ordinances which are more stringent than the provisions of this section."

CORRECTION TO TITLE

On page 1, in line 4, following "ON MINORS" delete ", TO" and insert: "FIFTEEN YEARS OF AGE OR YOUNGER, TO PROHIBIT THE USE OF A TANNING DEVICE OR ULTRAVIOLET TANNING DEVICE ON MINORS BETWEEN THE AGES OF SIXTEEN AND EIGHTEEN, TO PROVIDE FOR EXCEPTIONS AND PARENTAL CONSENT, TO PROVIDE FOR LIMITS ON THE USE OF A TANNING DEVICE FOR A MINOR EXEMPT FROM THIS SECTION, TO PROVIDE FOR PROOF OF AGE VERIFICATION, TO PROHIBIT MINORS FROM PROVIDING FALSE INFORMATION, TO PROHIBIT AN OWNER OR EMPLOYEE FROM CLAIMING OR ADVERTISING THAT A TANNING DEVICE IS FREE FROM RISK, TO PROVIDE FOR WARNING SIGNS, TO PROVIDE FOR PENALTIES AND TO PROVIDE SCOPE FOR LOCAL GOVERNMENTS."; and delete line 5.

HOUSE AMENDMENT TO H.B. NO. 639**AMENDMENT TO SECTION 1**

On page 1 of the printed bill, in line 13, following "Idaho" insert: ". Nothing in this section shall affect contract provisions relating to arbitration so long as the contract does not require arbitration to be conducted outside the state of Idaho".

CORRECTION TO TITLE

On page 1, in line 3, following "CONTRACT" insert: ", TO PROVIDE APPLICATION TO ARBITRATION".

HOUSE AMENDMENT TO H.B. NO. 628**AMENDMENT TO THE BILL**

On page 1 of the printed bill, delete lines 7 through 22, and insert:

"SECTION 1. LEGISLATIVE INTENT. It is the intent of the Legislature that this bill clarifies Section 40-2312, Idaho Code, to reflect the Legislature's intent that Section 40-2312, Idaho Code, applies to highways in existence in 1985 when the statute was recodified and applies to highways created thereafter. It is further the intent of the Legislature that highways in existence in 1985 and which were created by prescription or common law dedication or otherwise established by use are limited to the width of their historic use and are not required, pursuant to the statute, to be a minimum of fifty feet wide.

SECTION 2. That Section 40-2312, Idaho Code, be, and the same is hereby amended to read as follows:

40-2312. WIDTH OF HIGHWAYS. (1) All highways, except bridges and those located within cities, shall be not less than fifty (50) feet wide, ~~except those of a lesser width presently existing, and may be as wide as required for proper construction and maintenance in the discretion of the authority in charge of the construction and maintenance.~~

(2) The provisions of subsection (1) of this section shall not apply to highways of a lesser width. Highways may be as wide as required for historical construction and maintenance in the discretion of the authority in charge of the construction and maintenance and such space as has historically been used for installation and maintenance of utilities.

(3) Bridges located outside incorporated cities shall be the same width to and across the river, creek or stream as the highway leading to it."

CORRECTION TO TITLE

On page 1, delete lines 2 through 5, and insert: "RELATING TO WIDTH OF HIGHWAYS; PROVIDING LEGISLATIVE INTENT; AMENDING SECTION 40-2312, IDAHO CODE, TO REVISE PROVISIONS RELATING TO WIDTH OF CERTAIN HIGHWAYS AND TO PROVIDE FOR AN EXCEPTION."

HOUSE AMENDMENT TO S.B. NO. 1256**AMENDMENT TO SECTION 1**

On page 3 of the printed bill, in line 23, delete "will" and insert: "may"; in line 24, delete "will" and insert: "may"; and delete lines 45 and 46 and insert: "other research and management activities approved by the commission."

On page 4, in line 2, following "permits." insert: "Moneys raised pursuant to this subsection may not be used to transplant additional bighorn sheep into that portion of southwest Idaho south of the Snake River and west of U.S. highway no. 93, nor for litigation or environmental impact statements involving bighorn sheep."

We have also had under consideration [H 477](#), [H 586](#), and [S 1302](#), report progress and beg leave to sit again.

Roberts, Chairman

Mr. Roberts moved that the report be adopted. Seconded by Mr. Rusche.

Whereupon the Speaker declared the report adopted.

[H 606](#), as amended, [H 578](#), as amended, [H 486](#), as amended, as amended, [H 639](#), as amended, and [H 628](#), as amended, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

[S 1256](#), as amended in the House, was filed for first reading.

[H 477](#), [H 586](#), and [S 1302](#) were retained on General Orders.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions**[H 559](#) - ECONOMIC ESTIMATES**

[H 559](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle and Mr. Nonini to open debate.

Pursuant to Rule 38(3), Mr. Reynoldson disclosed a conflict of interest regarding [H 559](#).

The question being, "Shall [H 559](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bilbao(Reynoldson), Black, Block(Block), Boyle, Chadderdon, Collins, Crane, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Henderson, Luker, Marriott, McGeachin, McMillan, Moyle, Nielsen, Nonini, Palmer, Patrick, Perry, Raybould, Roberts, Schaefer, Shepherd, Shirley, Simpson, Sims, Thayn, Thompson, Vander Woude, Wills, Wood(35), Mr. Speaker. Total – 48.

NAYS – Bell, Bolz, Buckner-Webb, Burgoyne, Chew, Cronin, Higgins, Jaquet, Killen, King, Lacey, Lake, Nessel, Pence, Ringo, Rusche, Smith(30), Smith(24), Stevenson, Trail, Wood(27). Total – 21.

Absent and excused – Loertscher. Total – 1.

Paired Votes:

AYE -- Gibbs

NAY -- Chew

AYE -- Batt

NAY -- Pence

(Pairs enumerated in roll call above.)

Total – 70.

Whereupon the Speaker declared that [H 559](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

There being no objection, the House returned to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [SCR 133](#) be suspended; that the

portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that [SCR 133](#) be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Barrett, Bateman, Bayer, Bedke, Bell, Bilbao(Reynoldson), Black, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, DeMordaunt, Ellsworth, Eskridge, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Killen, King, Lacey, Lake, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Batt, Cronin, Gibbs, Loertscher. Total – 4.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [SCR 133](#) was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hagedorn to open debate.

At this time, Mrs. McGeachin took the Chair.

The question being, "Shall [SCR 133](#) be adopted?"

Whereupon the Speaker Pro Tem declared [SCR 133](#) adopted by voice vote and ordered the resolution returned to the Senate.

There being no objection, the House advanced to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

[H 414](#) - STATE RAIL AND INTERMODAL FACILITY SYSTEM PLAN

[H 414](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bedke to open debate.

Mr. Bedke asked unanimous consent that, pursuant to Rule 22, discussion of other pending legislation be allowed in debate of [H 414](#). There being no objection it was so ordered.

The question being, "Shall [H 414](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bateman, Bayer, Bedke, Bell, Bilbao(Reynoldson), Black, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Guthrie, Hagedorn, Hartgen, Henderson, Higgins, Jaquet, Killen, King, Lacey, Lake, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche,

Shepherd, Shirley, Sims, Smith(30), Smith(24), Stevenson, Thompson, Trail, Vander Woude, Wills, Wood(27). Total – 56.

NAYS – Barbieri, Barrett, Hart, Harwood, Luker, Nonini, Schaefer, Simpson, Thayne, Wood(35). Total – 10.

Absent and excused – Batt, Gibbs, Loertscher, Mr. Speaker. Total – 4.

Total – 70.

Whereupon the Speaker Pro Tem declared that [H 414](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[HCR 49](#) - MILDRED RINKER BAILEY

[HCR 49](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Nonini and Mr. Anderson to open debate.

The question being, "Shall [HCR 49](#) be adopted?"

Whereupon the Speaker Pro Tem declared [HCR 49](#) adopted by voice vote and ordered the resolution transmitted to the Senate.

Mr. Moyle asked unanimous consent that the House recess until 1:15 p.m.

Without objection, the Speaker Pro Tem declared the House at recess until 1:15 p.m.

RECESS

Afternoon Session

The House reconvened at 1:15 p.m., the Speaker in the Chair.

Prior to recess, the House was at the Eleventh Order of Business.

There being no objection, the House returned to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 689

BY WAYS AND MEANS COMMITTEE

AN ACT

RELATING TO PUBLIC ASSISTANCE LAW; AMENDING CHAPTER 2, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-205, IDAHO CODE, TO REQUIRE THAT THE STATE DEPARTMENT OF HEALTH AND WELFARE OR ITS AUTHORIZED AGENT ISSUE CERTAIN BENEFITS OVER THE COURSE OF MULTIPLE CONSECUTIVE DAYS IN A MONTH AT THE DISCRETION OF THE DIRECTOR.

HOUSE BILL NO. 690

BY WAYS AND MEANS COMMITTEE

AN ACT

RELATING TO TRANSPORTATION AND ECONOMIC DEVELOPMENT ZONES; AMENDING CHAPTER 36, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3642, IDAHO CODE, TO PROVIDE DEFINITIONS; AMENDING CHAPTER 36, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3643, IDAHO CODE, TO AUTHORIZE THE IDAHO TRANSPORTATION DEPARTMENT AND THE IDAHO DEPARTMENT OF COMMERCE TO ENTER INTO AGREEMENTS FOR THE CREATION OF TRANSPORTATION AND ECONOMIC DEVELOPMENT ZONES, TO PROVIDE FOR CERTAIN

CRITERIA, TO ESTABLISH PROVISIONS RELATING TO THE CONSIDERATION OF CERTAIN FACTORS, TO ESTABLISH PROVISIONS RELATING TO PROJECT COST, TO ESTABLISH PROVISIONS RELATING TO A CONSTRUCTION AND FUNDING SCHEDULE AND SUBMITTING SUCH SCHEDULE TO A BOND ISSUER, TO ESTABLISH PROVISIONS RELATING TO FINANCING, TO ESTABLISH PROVISIONS RELATING TO THE SELECTION OF AN ECONOMIST, TO ESTABLISH PROVISIONS RELATING TO THE WORK TO BE PERFORMED BY SUCH ECONOMIST, TO ESTABLISH PROVISIONS RELATING TO CERTAIN FINDINGS, TO ESTABLISH PROVISIONS RELATING TO A FILING WITH THE STATE TAX COMMISSION, TO ESTABLISH PROVISIONS RELATING TO CERTAIN ACCOUNTS, TO PROVIDE FOR DEPOSIT OF CERTAIN MONEYS, TO ESTABLISH PROVISIONS RELATING TO THE PAYMENT OF CERTAIN AMOUNTS, TO ESTABLISH PROVISIONS RELATING TO CONTINUOUSLY APPROPRIATED AMOUNTS, TO ESTABLISH PROVISIONS RELATING TO CERTAIN BONDS OR NOTES TO FUND AN APPROVED PROJECT, TO PROVIDE THAT A PROJECT SHALL BE CONSTRUCTED EXPEDITIOUSLY AND TO PROVIDE THAT CERTAIN MONEYS SHALL REVERT TO THE GENERAL FUND.

**HOUSE BILL NO. 691
BY WAYS AND MEANS COMMITTEE
AN ACT**

RELATING TO SPECIAL USE PERMITS, CONDITIONS AND PROCEDURES; AMENDING SECTION 67-6512, IDAHO CODE, TO REVISE PROVISIONS RELATING TO NOTICE; AMENDING SECTION 67-6512, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO EXCEPTIONS OR WAIVERS OF CERTAIN STANDARDS; DECLARING AN EMERGENCY, PROVIDING APPLICATION AND PROVIDING AN EFFECTIVE DATE.

[H 689](#), [H 690](#), and [H 691](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

At this time, Mr. Patrick took the Chair.

[HJM 13](#) - BEYOND THE BORDER ACTION PLAN

[HJM 13](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Eskridge to open debate.

The question being, "Shall [HJM 13](#) be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bateman, Bedke, Bell, Bilbao(Reynoldson), Black, Block(Block), Bolz, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Guthrie, Hagedorn, Hartgen, Henderson, Higgins, Jaquet, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McGeachin, Moyle, Nessel, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thompson, Trail, Vander Woude, Wills, Wood(27), Mr. Speaker. Total – 56.

NAYS – Barbieri, Barrett, Bayer, Hart, Harwood, McMillan, Nielsen, Shepherd, Thayne, Wood(35). Total – 10.
Absent and excused – Batt, Boyle, Gibbs, Nonini. Total – 4.
Total – 70.

Whereupon the Speaker Pro Tem declared [HJM 13](#) adopted and ordered the memorial transmitted to the Senate.

[S 1368](#) - APPROPRIATION - LIEUTENANT GOVERNOR

[S 1368](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Thompson to open debate.

The question being, "Shall [S 1368](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Barrett, Bateman, Bayer, Bedke, Bell, Bilbao(Reynoldson), Block(Block), Bolz, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35). Total – 63.

NAYS – None.

Absent and excused – Batt, Black, Boyle, Gibbs, Nonini, Palmer, Mr. Speaker. Total – 7.
Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1368](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1375](#) - APPROPRIATION - COMMISSION ON AGING

[S 1375](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Ringo to open debate.

The question being, "Shall [S 1375](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bateman, Bayer, Bell, Bilbao(Reynoldson), Block(Block), Bolz, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, Ellsworth, Eskridge, Guthrie, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McGeachin, Moyle, Nessel, Nielsen, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 60.

NAYS – Barbieri, DeMordaunt, McMillan. Total – 3.

Absent and excused – Batt, Bedke, Black, Boyle, Gibbs, Harwood, Nonini. Total – 7.
Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1375](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that [S 1360](#) retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

[S 1376](#) - APPROPRIATION - STATE INDEPENDENT LIVING COUNCIL

[S 1376](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Wood(27) to open debate.

The question being, "Shall [S 1376](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Barrett, Bateman, Bayer, Bedke, Bell, Bilbao(Reynoldson), Block(Block), Bolz, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Guthrie, Hagedorn, Hartgen, Henderson, Higgins, Jaquet, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McGeachin, Moyle, Nessel, Nielsen, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Shepherd, Shirley, Simpson, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 60.

NAYS – Hart, Harwood, McMillan, Schaefer, Sims. Total – 5.

Absent and excused – Batt, Black, Boyle, Gibbs, Nonini. Total – 5.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1376](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1377](#) - APPROPRIATION - DIVISION OF VOCATIONAL REHABILITATION

[S 1377](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Ringo to open debate.

The question being, "Shall [S 1377](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bateman, Bayer, Bedke, Bell, Bilbao(Reynoldson), Black, Block(Block), Bolz, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – Barbieri. Total – 1.

Absent and excused – Batt, Boyle, Gibbs, Nonini. Total – 4.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1377](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1381](#) - APPROPRIATION - EDUCATIONAL PUBLIC BROADCASTING

[S 1381](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Ringo to open debate.

The question being, "Shall [S 1381](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bateman, Bayer, Bedke, Bell, Bilbao(Reynoldson), Black, Block(Block), Bolz, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Guthrie, Hagedorn, Hartgen, Henderson, Higgins, Jaquet, Killen, King, Lacey, Lake, Luker, Marriott, McGeachin, Moyle, Nessel, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 56.

NAYS – Barbieri, Barrett, Hart, Harwood, Loertscher, McMillan, Nielsen, Shepherd, Thayne. Total – 9.

Absent and excused – Batt, Boyle, Gibbs, Nonini, Schaefer. Total – 5.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1381](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1382](#) - APPROPRIATION - OFFICE OF SPECIES CONSERVATION

[S 1382](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Vander Woude to open debate.

The question being, "Shall [S 1382](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bateman, Bayer, Bedke, Bell, Bilbao(Reynoldson), Black, Block(Block), Bolz, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Killen, King, Lacey, Lake, Luker, McGeachin, Moyle, Nessel, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shirley, Simpson, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 59.

NAYS – Barbieri, Marriott, McMillan, Nielsen, Shepherd, Sims. Total – 6.

Absent and excused – Batt, Boyle, Gibbs, Loertscher, Nonini. Total – 5.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1382](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1346](#) - LIVESTOCK PROCEEDS

[S 1346](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bolz to open debate.

The question being, "Shall [S 1346](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Barrett, Bateman, Bayer, Bedke, Bell, Bilbao(Reynoldson), Black, Block(Block), Bolz, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Killen, King, Lacey, Lake, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Batt, Boyle, Gibbs, Loertscher, Nonini. Total – 5.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1346](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1384](#) - APPROPRIATION - LABOR DEPARTMENT

[S 1384](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bolz to open debate.

The question being, "Shall [S 1384](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Bateman, Bayer, Bedke, Bell, Bilbao(Reynoldson), Black, Block(Block), Bolz, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Guthrie, Hagedorn, Hartgen, Henderson, Higgins, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Mr. Speaker. Total – 61.

NAYS – Barrett, Hart, Harwood, Wood(35). Total – 4.

Absent and excused – Batt, Boyle, Gibbs, Jaquet, Nonini. Total – 5.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1384](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1314](#) - INSTITUTIONAL FUNDS - PRUDENT MANAGEMENT

[S 1314](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. DeMordaunt to open debate.

The question being, "Shall [S 1314](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao(Reynoldson), Black, Block(Block), Bolz, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Guthrie,

Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – Harwood. Total – 1.

Absent and excused – Boyle, Gibbs, Nonini. Total – 3.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1314](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1291](#) - RANGELANDS

[S 1291](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Pence to open debate.

The question being, "Shall [S 1291](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bateman, Batt, Bedke, Bell, Bilbao(Reynoldson), Black, Block(Block), Bolz, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Cronin, DeMordaunt, Ellsworth, Eskridge, Guthrie, Hagedorn, Hartgen, Henderson, Higgins, Jaquet, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McMillan, Moyle, Nessel, Nielsen, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Shepherd, Shirley, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 56.

NAYS – Barbieri, Barrett, Bayer, Crane, Hart, Harwood, McGeachin, Nonini, Schaefer, Simpson, Sims, Vander Woude. Total – 12.

Absent and excused – Boyle, Gibbs. Total – 2.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1291](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that the House recess until 4 p.m.

Without objection, the Speaker Pro Tem declared the House at recess until 4 p.m.

RECESS

Afternoon Session

The House reconvened at 4 p.m., the Speaker in the Chair.

Prior to recess, the House was at the Eleventh Order of Business.

[S 1298](#) - CODIFIER CORRECTIONS

[S 1298](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Luker to open debate.

The question being, "Shall [S 1298](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao(Reynoldson), Black, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Killen, King, Lacey, Loertscher, Luker, Marriott, McMillan, Moyle, Nessel, Nielsen, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayn, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Anderson, Jaquet, Lake, McGeachin, Nonini. Total – 5.

Total – 70.

Whereupon the Speaker declared that [S 1298](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1299](#) - MILITARY EDUCATION

[S 1299](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wills to open debate.

The question being, "Shall [S 1299](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao(Reynoldson), Black, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McMillan, Moyle, Nessel, Nielsen, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayn, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Anderson, Jaquet, McGeachin, Nonini. Total – 4.

Total – 70.

Whereupon the Speaker declared that [S 1299](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that [S 1274](#), as amended in the House, retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

[S 1243](#), as amended in the House, as amended in the House, - SPECIAL LICENSE PLATES

[S 1243](#), as amended in the House, as amended in the House, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ellsworth to open debate.

The question being, "Shall [S 1243](#), as amended in the House, as amended in the House, pass?"

Roll call resulted as follows:

AYES – Andrus, Bateman, Batt, Bayer, Bedke, Bell, Bilbao(Reynoldson), Black, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hartgen, Henderson, Higgins, Killen, King, Lacey, Lake, Loertscher, Moyle, Nessel, Palmer, Pence, Raybould, Ringo, Roberts, Rusche, Shirley, Sims, Smith(30), Stevenson, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 51.

NAYS – Barbieri, Barrett, Hart, Harwood, Luker, Marriott, McGeachin, McMillan, Nielsen, Patrick, Perry, Schaefer, Shepherd, Simpson, Smith(24), Thayn. Total – 16.

Absent and excused – Anderson, Jaquet, Nonini. Total – 3.

Total – 70.

Whereupon the Speaker declared that [S 1243](#), as amended in the House, as amended in the House, passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1289](#) - IRRIGATION DISTRICTS

[S 1289](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bedke to open debate.

The question being, "Shall [S 1289](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao(Reynoldson), Black, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayn, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Anderson, Jaquet, Nonini. Total – 3.

Total – 70.

Whereupon the Speaker declared that [S 1289](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1290](#) - DRAINAGE DISTRICTS

[S 1290](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hagedorn to open debate.

The question being, "Shall [S 1290](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao(Reynoldson), Black, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Palmer, Patrick,

Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayn, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Anderson, Jaquet, Nonini. Total – 3.

Total – 70.

Whereupon the Speaker declared that [S 1290](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1307](#) - SECURED TRANSACTIONS

[S 1307](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Barbieri to open debate.

The question being, "Shall [S 1307](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao(Reynoldson), Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Henderson, Higgins, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayn, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – Harwood. Total – 1.

Absent and excused – Anderson, Black, Jaquet, Nonini. Total – 4.

Total – 70.

Whereupon the Speaker declared that [S 1307](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1332](#) - ATTORNEY'S FEES

[S 1332](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Burgoyne to open debate.

The question being, "Shall [S 1332](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao(Reynoldson), Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayn, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Anderson, Black, Jaquet, Nonini. Total – 4.

Total – 70.

Whereupon the Speaker declared that [S 1332](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that [S 1338](#) retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

[S 1340](#) - COURT ORDERED TESTING

[S 1340](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Burgoyne to open debate.

The question being, "Shall [S 1340](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao(Reynoldson), Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Smith(30), Smith(24), Stevenson, Thayn, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – Sims. Total – 1.

Absent and excused – Anderson, Black, Jaquet, Nonini. Total – 4.

Total – 70.

Whereupon the Speaker declared that [S 1340](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that [S 1341](#) retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

There being no objection, the House returned to the Fifth Order of Business.

Report of Standing Committees

March 19, 2012

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed House amendments to [H 606](#), [H 578](#), [H 486](#), as amended, [H 639](#), [H 628](#), and [S 1256](#).

WILLS, Chairman

March 19, 2012

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed [H 606](#), as amended, [H 578](#), as amended, [H 486](#), as amended, as amended, [H 639](#), as amended, and [H 628](#), as amended.

WILLS, Chairman

[H 606](#), as amended, [H 578](#), as amended, [H 486](#), as amended, as amended, [H 639](#), as amended, and [H 628](#), as amended, were filed for first reading of engrossed bills.

March 19, 2012

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration [HJR 2](#) and report it back with amendments attached to be placed on General Orders for consideration.

STEVENSON, Chairman

[HJR 2](#) was placed on General Orders for consideration.

There being no objection, the House advanced to the Ninth Order of Business.

First Reading of Engrossed Bills

[H 606](#), as amended, by Revenue and Taxation Committee, was introduced, read the first time by title, and filed for second reading.

[H 578](#), as amended, by State Affairs Committee, was introduced, read the first time by title, and filed for second reading.

[H 486](#), as amended, as amended, by Health and Welfare Committee, was introduced, read the first time by title, and filed for second reading.

[H 639](#), as amended, and [H 628](#), as amended, by Ways and Means Committee, were introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

[S 1260](#) - NURSES

[S 1260](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Rusche to open debate.

The question being, "Shall [S 1260](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao(Reynoldson), Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayn, Thompson, Trail, Vander Woude, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – None.

Absent and excused – Anderson, Black, Boyle, Jaquet, Nonini, Wills. Total – 6.

Total – 70.

Whereupon the Speaker declared that [S 1260](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1261](#) - NURSES

[S 1261](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Roberts to open debate.

At this time, Mr. Shirley took the Chair.

The question being, "Shall [S 1261](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao(Reynoldson), Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayn, Thompson, Trail, Vander Woude, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Anderson, Black, Jaquet, Nonini, Wills. Total – 5.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1261](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1262](#) - NURSING

[S 1262](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Thayn to open debate.

The question being, "Shall [S 1262](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao(Reynoldson), Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayn, Thompson, Trail, Vander Woude, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – None.

Absent and excused – Anderson, Black, Cronin, Jaquet, Nonini, Wills. Total – 6.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1262](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1273](#) - NURSES

[S 1273](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Chew to open debate.

The question being, "Shall [S 1273](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bell, Bilbao(Reynoldson), Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Henderson, Higgins, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McMillan, Moyle, Nessel, Nielsen, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – None.

Absent and excused – Bedke, Black, Harwood, Jaquet, McGeachin, Nonini, Palmer, Wills. Total – 8.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1273](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that [S 1231](#), as amended, retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

Mr. Moyle asked unanimous consent that [S 1313](#) retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

[S 1319](#) - MOTOR VEHICLES - PROOF OF INSURANCE

[S 1319](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Ellsworth to open debate.

The question being, "Shall [S 1319](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao(Reynoldson), Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – Schaefer. Total – 1.

Absent and excused – Black, Jaquet, Nonini, Shepherd, Wills. Total – 5.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1319](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that [S 1327](#) retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

Mr. Moyle asked unanimous consent that [S 1328](#) retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

[S 1323](#), as amended, - LIBRARY DISTRICT TRUSTEES

[S 1323](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. DeMordaunt to open debate.

The question being, "Shall [S 1323](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao(Reynoldson), Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Henderson, Higgins, Killen, King, Lacey, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Harwood. Total – 1.

Absent and excused – Black, Jaquet, Lake, Nonini, Roberts, Wills. Total – 6.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1323](#), as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that [S 1329](#) retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

[S 1335](#) - IDAHO ENERGY RESOURCES AUTHORITY

[S 1335](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Eskridge to open debate.

The question being, "Shall [S 1335](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao(Reynoldson), Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Killen, King, Lacey, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Black, Lake, Nonini, Roberts, Wills. Total – 5.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1335](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that [S 1356](#), as amended, retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

**S 1269, as amended in the House, - EDUCATION - PUBLIC
CHARTER SCHOOLS**

S 1269, as amended in the House, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. DeMordaunt to open debate.

Pursuant to Rule 38(3), Mr. DeMordaunt disclosed a conflict of interest regarding S 1269, as amended in the House.

The question being, "Shall S 1269, as amended in the House, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao(Reynoldson), Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Collins, Crane, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Palmer, Patrick, Pence, Perry, Raybould, Roberts, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(24), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wood(27), Wood(35), Mr. Speaker. Total – 59.

NAYS – Chew, Cronin, Killen, King, Lacey, Ringo, Rusche, Smith(30). Total – 8.

Absent and excused – Black, Nonini, Wills. Total – 3.

Total – 70.

Whereupon the Speaker Pro Tem declared that S 1269, as amended in the House, passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 9:30 a.m., Tuesday, March 20, 2012. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 5:30 p.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk